IN THE U.S. DISTRICT COURT WESTERN DISTRICT OF TENNESSEE AT MEMPHIS

ANGEL M. JONES and GARY MORGAN JONES, husband and wife,)
WORGAN JONES, Husband and wife,)
Plaintiffs,)
v.) Case No
NATIONWIDE MUTUAL INSURANCE COMPANY,) JURY DEMAND
Defendant.)

NOTICE OF REMOVAL

Defendant, Nationwide Mutual Insurance Company ("Nationwide"), hereby notifies the Judges of the United States District Court for the Western District of Tennessee, the Clerk of the Chancery Court of Shelby County, Tennessee at Memphis, and Plaintiffs, Angel M. Jones and Gary Morgan Jones, that the action described herein and filed in the Chancery Court of Shelby County, Tennessee at Memphis, is removed to the United States District Court for the Western District of Tennessee at Memphis, pursuant to 28 U.S.C. §1441.

- 1. On May 21, 2013, Plaintiffs, Angel M. Jones and Gary Morgan Jones, filed a civil action bearing Case No. CH-13-0744-1, against the Defendant, Nationwide Mutual Insurance Company, an Ohio corporation, in the Chancery Court of Shelby County, Tennessee. Service of the complaint and summons was made upon the Tennessee Department of Commerce and Insurance on or about May 30, 2013.
- 2. Plaintiffs filed this action seeking a declaration that an umbrella policy allegedly issued by Nationwide provided coverage to Plaintiffs for bodily injuries caused

by an uninsured or under-insured motorist. (See Complaint - a copy attached hereto as

Exhibit 1).

3. Petitioner seeks removal of this action to this Court on the grounds that

the controversy is wholly between citizens of different states and involves an amount in

controversy which exceeds Seventy-Five Thousand Dollars (\$75,000.00), exclusive of

the interest and costs, pursuant to 28 U.S.C. §1332. In particular, Plaintiffs in the

underlying action seek recovery of policy benefits from an umbrella policy Plaintiffs

contend provides uninsured or under-insured motorist coverage of \$1,000.000.

4. Plaintiffs are adult resident citizens of Shelby County, Tennessee, and

were at the time of the filing of this action and at the time of the removal. Defendant is a

corporation organized under the laws of Ohio, with its principal place of business in

Ohio. Accordingly, this matter involves citizens of different states.

5. This Notice is filed within the time period prescribed by 28 U.S.C.

§1446(b).

6. A copy of the Summons and Complaint, being all the papers served upon

Defendant is attached hereto.

WHEREFORE, notice is hereby given that the said Civil Action no. CH-13-0744-1

is removed from the Chancery Court of Shelby County, Tennessee, to this Court.

Respectfully submitted,

s/ E. Jason Ferrell

PARKS T. CHASTAIN

Registration No. 13744

E. JASON FERRELL

Registration No. 24425

Attorneys for Defendant

BREWER, KRAUSE, BROOKS, CHASTAIN & BURROW, PLLC P. O. Box 23890 Nashville, TN 37202-3890 (615) 256-8787

CERTIFICATE OF SERVICE

I hereby certify that on the 28th day of June, 2013, a copy of the foregoing Notice of Removal was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. mail. Parties may access this filing through the Court's electronic filing system. The parties to be served are as follows:

R. Sadler Bailey, Esq. Tyler D. Parks, Esq. Bailey & Greer, PLLC 6256 Poplar Avenue Memphis, TN 38119

s/ E. Jason Ferrell
E. JASON FERRELL